IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3748 of 2002
with
SPECIAL CIVIL APPLICATION No 3749 of 2002
with
SPECIAL CIVIL APPLICATION No 3750 of 2002
with
SPECIAL CIVIL APPLICATION No 3751 of 2002
with
SPECIAL CIVIL APPLICATION No 3752 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE M.R. SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

S.V.METAL INDUSTRIES
Versus
NAVANAGAR CO OP BANK LTD.

Appearance:
MR BAIJU JOSHI for Petitioner No. 1-6
MR NIRAV C THAKKAR for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE M.R. SHAH

Date of decision: 26/10/2004

COMMON ORAL JUDGEMENT

In all these petitions, the respective petitioners had challenged the exparte order of attachment before judgment passed by the Board of Nominees in Lavad Suit Nos.93 of 2000 to 97 of 2000 confirmed by the Gujarat State Cooperative Tribunal, Ahmedabad in Appeal Nos.45 of 2001, 46 of 2001, 55 of 2001, 56 of 2001 and 57 of 2001 by judgment and order dated 21.12.2001. This Court while admitting all the present petitions has passed certain conditional orders.

2. Today when the maters are called out, on the request being made by Shri Thakker, Learned Advocate appearing for the respondent no.1 on the ground that the aforesaid lavad suits being Lavad Suit Nos.93 of 2000 to 97 of 2000 are already disposed of by the Learned Board of Nominees, Rajkot and the judgments and award are passed. In view of the aforesaid statement and in view of the fact that now the judgments and awards are already passed by the Board of Nominees, Rajkot and the aforesaid Lavad Suit Nos.93 to 97 of 200 are already disposed of, the present petitions do not survive and no further orders are required to be passed in the present petitions. Hence, the present petitions are disposed of as having become infructuous. It will be open for the respective petitioners to challenge the judgment and award passed by the Board of Nominees in the aforesaid lavad suits in accordance with law before the appropriate forum. Rule is discharged in all the matters. Adinterim relief granted earlier stands vacated forthwith.

(M.R.Shah, J)

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